

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHELE BERGERON,

Plaintiff,

-against-

ORDER OF DISMISSAL

Fed. R. Civ. P. 41(a)(2)

HARRY BUFFARDI, GORDON POLLARD,
RICHARD VORE, THE COUNTY OF
SCHENECTADY, WILLIAM FENNELL,
ROBERT HAMILTON, MARK CHAIRES,
MICHAEL GERACI, and THE CITY OF
SCHENECTADY,

Docket No. 06-CV-1557(LEK/DRH)

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

JAN 03 2008

Defendants.

LAWRENCE K. BAERMAN, CLERK
ALBANY

The Plaintiff and City of Schenectady Defendants (to wit: William Fennell, Robert Hamilton, Mark Chaires, Michael Geraci and the City of Schenectady), having executed and filed a stipulation consenting to the dismissal of this action as against the City Defendants pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and having jointly moved, pursuant to that stipulation, for an order of dismissal pursuant to Fed. R. Civ. P. 41(a)(1) by reason of the settlement of the action as between the stipulating parties; it is therefore

ORDERED: that the action against the City Defendants (William Fennell, Robert Hamilton, Mark Chaires, Michael Geraci and the City of Schenectady) is dismissed without prejudice, and it is further

ORDERED: that all parties shall bear their own respective cost and attorney fees.

Dated: 1/2, 2008


HON. LAWRENCE E. KAHN
U.S. District Court Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHELE BERGERON,

Plaintiff,

-against-

STIPULATION OF DISMISSAL
Fed. R. Civ. P. 41(a)(1)(ii)


HARRY BUFFARDI, GORDON POLLARD,
RICHARD VORE, THE COUNTY OF
SCHENECTADY, WILLIAM FENNELL,
ROBERT HAMILTON, MARK CHAIRES,
MICHAEL GERACI, and THE CITY OF
SCHENECTADY,

Docket No. 06-CV-1557(LEK/DRH)

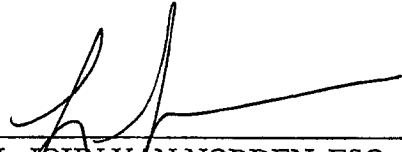
Defendants.

IT IS HEREBY STIPULATED AND AGREED, by the undersigned, counsel for the plaintiff and counsel all City of Schenectady Defendants (to wit: William Fennell, Robert Hamilton, Mark Chaires, Michael Geraci and the City of Schenectady), all of whom have appeared in the action, and none of whom is an infant or incompetent person, that all claims asserted by the plaintiff against the City of Schenectady, its agents, servants, officers, employees and representatives, including but not limited to William Fennell, Robert Hamilton, Mark Chaires, Michael Geraci shall be dismissed, based upon the settlement of such claims by the plaintiff with the City defendants, with each of the stipulating parties bearing their own respective costs and attorney fees, and the undersigned jointly move that the Court enter an order pursuant to Fed. R. Civ. P. 41(a)(2) dismissing the action with prejudice.

Dated: December 12, 2007



ELMER ROBERT KEACH, III, ESQ.
Fed. Bar Roll 601537
Attorney for Plaintiff

Dated: December 6, 2007




L. JOHN VAN NORDEN, ESQ.
CORPORATION COUNSEL
Fed. Bar Roll 102758
*Attorney for Defendants Geraci, Chaires,
And City of Schenectady*

Dated: December 18, 2007



GLEASON, DUNN, WALSH & O'SHEA
By: Lisa F. Joslin, Esq.
Fed. Bar Roll 509264
Attorney for Defendant Hamilton

Dated: December 19, 2007



CARTER, CONBOY, BARDWELL,
MALONEY & LAIRD, P.C.
Fed. Bar Roll 102244
By: Michael J. Murphy, Esq.
Attorney for Defendant Fennell